

March 6, 1995

LB 337

LR 6

gubernatorial vote, those who actually voted in the gubernatorial election. But what we said is that everybody should be a registered voter in LR 24CA...248CA. And the court said that these two sections cannot be read together so that they make sense, therefore we must choose between them, and since the registered voter language was more recently adopted, the court chose that. The effect of it was to up dramatically the number of signatures needed in a petition drive, and as a consequence there were several petition drives that had been underway that failed. As a result of the Dugan case there was a lot of pressure for the Legislature to come back into session. Without any real clear consensus as to what the body wanted to do, I decided to form a task force to look into the whole petition process. And there were a number of people who were involved in this petition task force, people who had been involved in petition drives, people who had been interested in the petition process for a number of years in a scholarly manner, as newspaper editors and so forth. And one of the things that we felt, as we spent many hours and days working on this, is that first of all we, as a state, need a process that is clean, that is accessible to those who have an issue they want addressed, and yet does not encourage poorly written and hastily drafted, spur of the moment language to be added to our state's constitution. And we felt that besides looking at just the number question, that we ought to look at the whole petition process because of the fact that there had been a number of times, over the past few years, when questions had arisen about the petition process. So when we came together we decided on rather a broad picture. And later in the year you will see us address some of the petition process itself in LB 337, which I have picked as my priority bill this year, and we will deal with that there. But back to the issue that we're dealing with today.

SPEAKER WITHEM: One minute.

SENATOR SCHIMEK: One of the things that the committee, the task force, was exceedingly concerned about throughout this entire discussion, was the fact that in a number of other states the petition process had just kind of gone bonkers and in another case in Colorado there was a court case, Meyer, that basically said that you couldn't, you could not discourage or you could not keep paid petition circulators from existing, that it was not in keeping with our constitution to prohibit paid circulators. And one of the things the committee wanted to